

July 25, 2018

BY ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: *Ex Parte* Communication in Revision of the Commission's Program Access Rules, MB Docket No. 12-68

Dear Ms. Dortch:

On July 23, 2018, Ross Lieberman of the American Cable Association and I met with Michelle Carey, Martha Heller, and Kathy Berthot of the Media Bureau to discuss the status of the Commission's rulemaking on modification of the program access rules to ensure that buying groups have the protection that Congress intended, consistent with ACA's previous filings in this rulemaking.¹

During the meeting, ACA encouraged the Commission to (i) update its definition of a buying group so that NCTC, a buying group that has met near universal acceptance among small and medium-sized cable operators and programmers, could qualify; (ii) clarify the standard of comparability for a buying group; and (iii) prevent cable-affiliated programmers from arbitrarily excluding regularly participating members of buying groups from participating in their master agreements.

¹ *Revision of the Commission's Program Access Rules*, 27 FCC Rcd. 12605 (2012); Comments of the American Cable Association, MB Docket Nos. 12-68, 07-18, 05-192 (filed Dec. 14, 2012); Reply Comments of the American Cable Association, MB Docket Nos. 12-68, 07-18, 05-192 (filed Jan. 14, 2013).

In accordance with the Commission's rules, I will file a copy of this letter electronically in MB Docket No. 12-68.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Michael Nilsson', with a stylized flourish at the end.

Michael Nilsson
Counsel to the American Cable Association